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17 UNITED STATES DISTRICT COURT

18 DISTRICT OF NEVADA

19 SATHIRAWAT SAUBHAYANA,

20 Plaintiff,

21 v.

22 MERRICK B. GARLAND, U.S. Attorney

23 General, et al.,

24 Defendants.

Case No. 2:17-cv-2655-JAD-EJY

**JOINT MOTION FOR 30-DAY
EXTENSION OF TIME TO FILE
DISCOVERY PLAN AND PROPOSED
SCHEDULING ORDER
(Fourth Request)**

1 Plaintiff Sathirawat Saubhayana and Defendants (collectively, the “Parties”) jointly
2 request an additional 30-day extension of time to file their joint discovery plan and proposed
3 scheduling order until September 20, 2021. This will be the Parties last request for an extension
4 of this deadline. This request is for good cause because the Parties did not receive the documents
5 from the Las Vegas Police Department (“LVPD”) that may influence the possibility of
6 settlement in this case until today, August 20, 2021.

7 On July 20, 2021, the Parties jointly moved for a 30-day extension of time, until August
8 20, 2021, to file their proposed scheduling order and enforce the subpoena decus tecum directed
9 to the LVPD. ECF No. 51. The Court granted the motion and ordered LVPD to produce the
10 records to counsel for the government. ECF No. 52. LVPD refused to provide the records
11 without a court order with specific language addressing the sealed records. ECF No. 53. The
12 parties then moved for an order with this specific language. *Id.* The Court granted the Parties’
13 request and issued the order directing the LVPD to produce the records within *ten* days. ECF No.
14 54. On August 4, 2021, a representative for LVPD informed undersigned government counsel
15 that he sent the documents via the United States Postal Service, and without further explication,
16 the representative d refused to send the documents via email, fax, or more expeditious mail
17 service. Ex. A. The representative did not provide a tracking number. Ex. A. Undersigned
18 counsel for the government received the documents today, August 20, 2021. This request is
19 therefore for reasons outside the Parties’ control and for good cause. The Parties will not request
20 a further extension of this deadline and, if necessary, will proceed with settlement discussions
21 and discovery simultaneously.

22 Respectfully submitted,

23 BRIAN M. BOYNTON
24 Acting Assistant Attorney General
25 Civil Division

26 ELIANIS PEREZ
Assistant Director

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By: /s/ Mary L. Larakers
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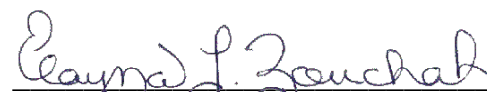
CERTIFICATE OF SERVICE

Case No.: 2:17-cv-2655-JAD-EJY

It is hereby certified that service of the foregoing document has been made through the Court's CM-ECF electronic filing and notification system on all system participants on August 20, 2021.

/s/ Mary L. Larakers
MARY L. LARAKERS
U.S. Department of Justice
Trial Attorney

IT IS SO ORDERED.


U.S. MAGISTRATE JUDGE

Dated: August 20, 2021